

FILED

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2012 OCT 23 PM 2:14
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 FRED J. PETERS, an Individual;

12 Plaintiff,

13 vs.

14
15 EQUIFAX INFORMATION
16 SERVICES LLC, is a Corporation;
17 EXPERIAN INFORMATION
18 SOLUTIONS INC, a corporation;
19 DISCOVER BANK, is a business
entity; form unknown;
SST/CIGPF1CORP, an unknown
business entity and DOES 1-10,
Inclusive,

20 Defendants.

Case No.: *ENC 12-1837-TJH (DPA)*

COMPLAINT FOR DAMAGES:

1. FAIR CREDIT REPORTING ACT.
2. CALIFORNIA IDENTITY THEFT LAW.
3. ROSENTHAL DEBT COLLECTION PRACTICES ACT.
4. CALIFORNIA CONSUMER CREDIT REPORTING AGENCIES ACT

JURY TRIAL DEMANDED.

21
22 Plaintiff alleges:

23 1. Plaintiff FRED J. PETERS ("Plaintiff") is a resident of County of
24 Riverside, State of California.

25 2. Defendants EQUIFAX INFORMATION SERVICES LLC
26 ("EQUIFAX"), EXPERIAN INFORMATION SOLUTIONS INC. ("EXPERIAN")
27 are business entities, forms unknown, doing business in the State of California as
28

COMPLAINT FOR DAMAGES

1 credit bureaus which receive negative credit information about consumers and
2 which then publish such information in credit reports available to its subscribers.
3 Collectively, these defendants will be referred to as "credit bureau defendants" or
4 "credit agency defendants. DISCOVER FINANCIAL SERVICES
5 ("DISCOVER") is a creditor which, among other activities, reports allegedly
6 delinquent debts to credit bureaus and is a "furnisher" under the Fair Credit
7 Reporting Act.

8 3. Defendants SST/CIGPF1CORP ("SST") is a collection agency which,
9 among other activities, reports allegedly delinquent debts to credit bureaus and is a
10 "furnisher" under the Fair Credit Reporting Act.

11 4. Defendants DOES 1-10 are individuals and business entities, form
12 unknown, doing business in the State of California as credit reporting agencies,
13 debt collection agencies, creditors or other persons or entities which engage in
14 credit reporting and/or debt collection. DOES 1-10, Inclusive, includes
15 individuals or business entities doing business in the State of California as credit
16 reporting agencies, debt collectors and/or creditors who have refused to delete
17 accounts of plaintiff that were procured through identity theft, mixed file or other
18 manner of recording an inaccurate credit account, even after plaintiff has notified
19 them of the false or inaccurate derogatory, and also who have reported such
20 accounts as derogatory credit references to credit reporting agencies.

21 5. Plaintiff does not know the true names and capacities, whether corporate,
22 partnership, associate, individual or otherwise of Defendants sued herein as Does
23 1 through 10, inclusive, under the provisions of Section 474 of the California
24 Code of Civil Procedure. Plaintiff is informed and believes and on that basis
25 alleges that Defendants Does 1 through 10, inclusive, are in some manner
26 responsible for the acts, occurrences and transactions as officers, directors or
27 managing agents of Defendants or as its agents, servants, employees and/or joint
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1 venturers and as set forth in this complaint, and that each of them are legally liable
2 to Plaintiff, as set forth below and herein:

3 a) Said Officers, directors or managing agents of Defendants personally
4 acted willfully with respect to the matters alleged in this complaint;

5 b) Said officers, directors or managing agents of Defendants personally
6 authorized, approved of, adopted and/or ratified the acts alleged herein or the
7 agents, servants, employees and/or joint venturers of Defendants did so act;

8 c) Said officers, directors or managing agents of Defendants personally
9 participated in the acts alleged herein of Defendants;

10 d) Said Officers, directors or managing agents of Defendants personally had
11 close supervision of their agents, servants, employees and/or joint venturers of
12 Defendants;

13 e) Said Officers, directors or managing agents of Defendants personally
14 were familiar with the facts regarding the matters alleged herein;

15 f) Said Officers, directors or managing agents of Defendants personally
16 failed to investigate the circumstances appertaining to the acts alleged herein.

17 They also failed and refused to repudiate the herein alleged actions and failed to
18 redress the harm done to Plaintiffs. Further, said Officers, directors, or managing
19 agents of Defendants failed and refused to punish or discharge the said agents,
20 servants, employees and/or joint venturers of Defendants, even after learning of
21 the acts of the agents, servants, employees and/or joint venturers of Defendants.
22 Plaintiffs will seek leave to amend this complaint to set forth the true names and
23 capacities of said fictitiously named Defendants as enumerated above, together
24 with appropriate charging allegations, when learned.

25 6. Plaintiff is informed and believes, and thereon alleges that at all relevant
26 times herein each Defendant, whether actually or fictitiously named, was the
27 principal, joint venturer, agent, servant or employee of each other Defendant, and
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1 in acting as such within the course, scope and authority of such relationship, took
2 some part in the acts and omissions hereinafter set forth, by reason of which each
3 Defendant is liable to Plaintiff for the relief prayed for in this complaint, and any
4 future amended complaint. Further, Plaintiff alleges that each act alleged herein,
5 whether by a named Defendants or fictitiously named Defendants or otherwise,
6 was expressly authorized or ratified, as these terms are used in California Civil
7 Code Section 3294(b), by each and every other Defendant herein, whether named
8 or fictitiously named.

9
10 **FIRST CAUSE OF ACTION**

11 **[VIOLATION OF THE FAIR CREDIT REPORTING ACT**
12 **AGAINST ALL DEFENDANTS]**

13 7. Plaintiff re-alleges and incorporates all preceding paragraphs as though
14 set forth in full in this cause of action.

15 8. Plaintiff is a consumer as this term is defined by 15 U.S.C. Sec. 1681a(c)
16 of the Fair Credit Reporting Act. All defendants are "furnishers" as defined by 15
17 U.S.C. 1681s-2 of the Fair Credit Reporting Act, except, EQUIFAX and
18 EXPERIAN and each of the credit bureau defendants who are "consumer
19 reporting agencies" as that term is defined in 15 U.S.C. Section 1681a (f).

20 9. Plaintiff is a 72 year old man who has owned and operated East West
21 Truck and Repair since 1993 in Nuevo California. Due to fraud and identity theft
22 Plaintiff lost the goodwill he had built up over the past 32 years with his vendors
23 and creditors. Many of his vendors and creditors will now only work with him on
24 a cash basis. Plaintiff lost a great deal of business; he had to lay off employees and
25 has turned down for loans.

26 10. On or about November 27, 2010, Plaintiff discovered that he was a
27 victim of identity theft. On December 1, 2010, Plaintiff filed a police report.

1 11. On or about August 29, 2011, Rebecca Markham, Plaintiff's Secretary,
2 was found guilty of fraud and of unauthorized use of Plaintiff's identity. Rebecca
3 Markham was sentenced to three years in state prison by the Honorable Judge
4 Kelly L. Hansen in Riverside Superior Court.

5 12. Plaintiff called and sent dispute letters to Transunion, EXPERIAN and
6 EQUIFAX disputing several accounts that did not belong to him and requested
7 that they be investigated and removed.

8 13. On or about June 15, 2012 Plaintiff sent dispute letters to EQUIFAX,
9 Transunion and EXPERIAN providing copies of his police report. Also, Plaintiff
10 attached a copy of the Minute Order from Riverside Superior Court regarding
11 Rebecca Markham, who was found guilty of identity theft to aid them in their
12 investigation.

13 14. On August 7, 2012, Plaintiff received a credit report from EQUIFAX
14 stating that the DISCOVER and SST accounts were valid therefore would remain
15 under the collection activity section.

16 15. On October 4, 2012, Plaintiff received a credit report from EXPERIAN
17 that was still reporting the DISCOVER account.

18 16. Defendants EQUIFAX, EXPERIAN, DISCOVER and SST have
19 refused, despite Plaintiff's phone calls and letters to acknowledge that he was not
20 responsible for the DISCOVER and SST accounts.

21 17. Plaintiff sent correspondence to EQUIFAX, EXPERIAN, DISCOVER
22 and SST asking that they reinvestigate his account, cease any negative credit
23 reporting and remove his account from collection activity. Only non-party
24 Transunion complied with plaintiff's request to cease the derogatory credit
25 reporting.

26 18. Plaintiff complied with all requests of each of the Defendants to
27 provide information in order to have the erroneous marks removed from his credit
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1 reports. Despite the insistence of Plaintiff, the Defendants, and each of them,
2 failed to correct the errors and failed to undertake sufficient investigations upon
3 being notified of the errors. On information and belief, EQUIFAX and
4 EXPERIAN received multiple disputes from Plaintiff and forwarded at least some
5 of the information to DISCOVER and SST thereby triggering a duty of
6 reinvestigation by DISCOVER and SST. (In making this allegation, plaintiff is
7 expressly not admitting that either credit bureau forwarded all relevant
8 information, and is expressly not admitting that the credit bureaus' own
9 investigations were reasonable. Plaintiff alleges the contrary.)

10 19. Within the past several years, Defendants, and each of them, willfully
11 violated the provisions of the Fair Credit Reporting Act in *at least* the following
12 respects:

13 a. By willfully and negligently failing, in the preparation of the consumer
14 report concerning Plaintiff, to follow reasonable procedures to assure maximum
15 possible accuracy of the information in the report;

16 b. By willfully and negligently failing to correct, after receiving ample
17 notice, information about the Plaintiff which defendants knew, or should have
18 known, was incomplete and/or inaccurate;

19 c. By willfully and negligently failing to correct and/or delete the
20 incomplete and inaccurate information in Plaintiff's file after conducting an
21 investigation;

22 d. By willfully and negligently failing to conduct an adequate investigation
23 of Plaintiff's complaints, and by willfully and negligently failing to implement
24 corrective actions once the outcome of such investigations were known, or should
25 have been known, to the defendants;

26 e. By willfully and negligently failing to provide subsequent users of the
27 report with the Plaintiff's statement of dispute or a summary thereof;

1 f. By willfully and negligently changing account numbers and account
2 number designations so as to make reinvestigation and deletion more difficult for
3 the consumer, but in turn more lucrative for bureaus and furnishers because
4 derogatory account information will remain on credit reports longer;

5 g. By willfully and negligently failing to provide notice to Plaintiff of the
6 furnishing of negative credit information to credit reporting agencies, and,

7 h. By willfully and negligently failing to provide such information to the
8 credit bureaus indicating the full nature, reasons and extent of Plaintiff's dispute,
9 and thus causing the credit report to the credit bureaus to be inaccurate and
10 incomplete.

11 20. As a proximate result of the actions of the Defendants, and each of
12 them, Plaintiff has been damaged in an amount which will be proven at time of
13 trial. As provided under the cited law, Plaintiff is entitled to actual damages, pain
14 and suffering, punitive damages, penalties, costs and attorney fees.

15 21. Plaintiff alleges that defendants, and each of them, have willfully
16 violated FCRA with respect to Plaintiff and towards others similarly situated.
17 Specifically, defendants deliberately have inefficient procedures for correcting
18 their credit files, because they know that a certain number of consumers will either
19 be intimidated or too frustrated to continuously fight back against the constant
20 onslaught of collection activities for invalid debts. Defendants, and each of them,
21 know that a certain number of consumers would rather pay than fight, even if the
22 debt is not actually owed. These defendants know that their systems intimidate
23 consumers so they'll pay debts even if not valid or not completely valid. These
24 facts were not disclosed to the Plaintiff and are not disclosed to the borrowing
25 public at large.

26 ///

27 ///

SECOND CAUSE OF ACTION

VIOLATION OF CALIFORNIA IDENTITY THEFT

LAW, CIV. CODE SECTION 1798.92 et seq.,

AGAINST DISCOVER, SST AND DOES 1-10, INCLUSIVE.

22. Plaintiff incorporates all preceding paragraphs as though alleged in full in this cause of action.

23. In continuing credit reporting and debt collection activities against plaintiff after she had reported to them the identity theft situation and after providing them with a police report, DISCOVER, SST and DOES 1-10, Inclusive, willfully violated the California Identity Theft Law, Civ. Code Section 1798.92 et seq.

24. Plaintiff has suffered actual damages, including general, special, incidental and consequential damages, and is also entitled to attorney's fees and costs under the California Identity Theft Law. In addition, plaintiff alleges that defendants DISCOVER, SST and DOES 1-10, Inclusive, specifically violated Civ. Code Section 1798.93 (c) (6), thereby entitling him to a \$30,000.00 penalty, in addition to any other damages which may be assessed.

THIRD CAUSE OF ACTION

VIOLATION OF CALIFORNIA ROSENTHAL ACT

AGAINST DISCOVER, SST AND DOES 1-10, INCLUSIVE.

25. Plaintiff incorporates all preceding paragraphs as though alleged in full in this cause of action.

26. In continuing debt collection and credit-reporting activities after the point where plaintiff notified defendants of the identity theft situation, and after she provided them with a police report of the identity theft, defendants DISCOVER, SST and DOES 1-10, Inclusive, willfully and knowingly violated the

1 California Rosenthal Act, and specifically violated Civ. Code Section 1788.18.

2 27. Plaintiff has suffered actual damages, including general, special,
3 incidental and consequential damages, and is also entitled to attorney's fees and
4 costs under the Rosenthal Act. In addition, plaintiff alleges that defendants
5 DISCOVER, SST and DOES 1-10, Inclusive, specifically violated Civ. Code
6 Section 1788.18, thereby entitling him to a statutory penalty, in addition to any
7 other damages which may be assessed.

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9 **FOURTH CAUSE OF ACTION**
10 **[VIOLATION OF CALIFORNIA CONSUMER CREDIT**
11 **REPORTING AGENCIES ACT**
12 **AGAINST DISCOVER, SST AND DOES 1-10, INCLUSIVE.]**
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14 28. Plaintiff incorporates all preceding paragraphs as though alleged in full
15 in this cause of action.

16 29. In committing the false credit reporting and in continuing to falsely
17 credit-report plaintiff after notice from him and from the credit bureaus,
18 defendants DISCOVER, SST and DOES 1-10, Inclusive, have violated Cal. Civ.
19 Code Section 1785.25 (a).

20 30. As a consequence of these violations, plaintiff has suffered both general
21 and special damages according to proof.

22
23 WHEREFORE, Plaintiff prays for judgment as follows:

- 24 1. For general and special damages according to proof at trial;
25 2. For statutory penalties for each separate statutory violation where
26 allowed by statute;
27 3. For punitive damages against defendants according to proof at trial and
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1 using the applicable punitive damages standards from the involved statutes;

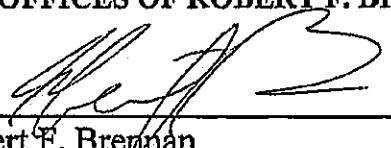
2 4. For attorney's fees where authorized by statute or law;

3 5. For costs of suit;

4 6. For such other relief as the court deems just and proper.

5 **PLAINTIFF DEMANDS A JURY TRIAL.**

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7 Dated: October 22 2012 LAW OFFICES OF ROBERT F. BRENNAN, A P.C.

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9 By: 
10 Robert F. Brennan
11 Attorney for Plaintiff
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Terry J. Hatter and the assigned discovery Magistrate Judge is Oswald Parada.

The case number on all documents filed with the Court should read as follows:

EDCV12- 1837 TJH (OPx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☐ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☒ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Robert F. Brennan SBN 132449
 LAW OFFICES OF ROBERT F. BRENNAN AP.C.
 3150 Montrose Ave.
 La Crescenta CA 91214
 Tel: 818-249-5291
 Fax: 818-249-4329

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

FRED J. PETERS, an Individual;

CASE NUMBER

PLAINTIFF(S)

v.

EDCV12-1837-TJH (DPX)

EQUIFAX INFORMATION SERVICES LLC, is a Corporation;
 EXPERIAN INFORMATION SOLUTIONS INC, a corporation;
 DISCOVER BANK, is a business entity; form unknown;
 SST/CIGPFI CORP, an unknown business entity and DOES 1-10, Inclusive,
 DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Robert F. Brennan, whose address is 3150 Montrose Ave. La Crescenta CA 91214. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

OCT 23 2012

Dated: _____

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/> FRED J. PETERS, an Individual;	DEFENDANTS EQUIFAX INFORMATION SERVICES LLC, is a Corporation; EXPERIAN INFORMATION SOLUTIONS INC, a corporation; DISCOVER BANK, is a business entity; form unknown; SST/CIGPFI
(b) County of Residence of First Listed Plaintiff (Except in U.S. Plaintiff Cases): Riverside County	County of Residence of First Listed Defendant (In U.S. Plaintiff Cases Only): Los Angeles, California
(c) Attorneys (Firm Name, Address and Telephone Number; If you are representing yourself, provide same.) Robert F. Brennan, Esq. SBN 132449 LAW OFFICES OF ROBERT F. BRENNAN A.P.C. 3150 Montrose Ave. La Crescenta, CA 91214 Telephone 818-249-5291	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant.)

- | | | | | | |
|---|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|
| Citizen of This State | PTF <input type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4 |
| Citizen of Another State | PTF <input type="checkbox"/> 2 | DEF <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | PTF <input type="checkbox"/> 5 | DEF <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | PTF <input type="checkbox"/> 3 | DEF <input type="checkbox"/> 3 | Foreign Nation | PTF <input type="checkbox"/> 6 | DEF <input type="checkbox"/> 6 |

IV. ORIGIN (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No**MONEY DEMANDED IN COMPLAINT: \$ 300,000****VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
Fair Credit Reporting Act 15 U.S.C. Sec. 1681**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat-TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge-12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892. Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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VIII(a). IDENTICAL CASES: Has this action been previously filed and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s):

FOR OFFICE USE ONLY:

Case Number:

EDCV12-1837

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(b). RELATED CASES: Have any cases been previously filed that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: List the California County, or State if other than California, in which EACH named plaintiff resides (Use an additional sheet if necessary)

- ☐ Check here if the U.S. government, its agencies or employees is a named plaintiff.
 Riverside, California

List the California County, or State if other than California, in which EACH named defendant resides. (Use an additional sheet if necessary).

- ☐ Check here if the U.S. government, its agencies or employees is a named defendant.

EXPERIAN - Ohio
 EQUIFAX - GEORGIA
 DISCOVER - Delaware
 SST/CIGPFICORP - Missouri

List the California County, or State if other than California, in which EACH claim arose. (Use an additional sheet if necessary)

- Note: In land condemnation cases, use the location of the tract of land involved.
 Los Angeles County

X. SIGNATURE OF ATTORNEY (OR PRO PER): Robert F. Brennan Date Oct. 23, 2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))